

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

MELISSA THORNLEY, DEBORAH)	
BENJAMIN-KOLLER, and JOSUE)	
HERRERA, individually and on behalf of)	
all others similarly situated,)	
)	
Plaintiffs,)	
)	Case No. 20-cv-3843
v.)	
)	Hon. Sharon Johnson Coleman
CLEARVIEW AI, INC.,)	
)	
Defendant)	

MOTION TO REMAND

Plaintiffs Melissa Thornley, Deborah Benjamin-Koller, and Josue Herrera (“Plaintiffs”), through counsel, move pursuant to 28 U.S.C. §1447(c) to remand this case to the Circuit Court of Cook County, Illinois, where it was originally filed.

Plaintiffs’ Class Action Complaint (“Complaint”) against defendant Clearview AI, Inc. (“Clearview”) alleges a narrow claim of statutory aggrievement under §15(c) of Illinois’s Biometric Information Privacy Act (“BIPA”), 740 ILCS §14/1 (2008), unaccompanied by any claim of actual injury. The sole relief sought in Plaintiffs’ Complaint is statutory damages (and attorneys’ fees) based on defendant’s procedural violation of §15(c) of BIPA.

Plaintiffs’ claim of a bare procedural violation, divorced from any concrete harm, does not satisfy the injury-in-fact requirement of Article III, precluding a finding of standing and depriving this Court of subject matter jurisdiction.

Dated: July 21, 2020

Respectfully submitted,

MELISSA THORNLEY
DEBORAH BENJAMIN-KOLLER
JOSUE HERRERA

/s/ David S. Golub

One of their attorneys

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